

## **Scottish Parliament Finance and Constitution Committee**

### **Call For Evidence On The Railway Policy (Scotland) Bill**

1. BTPA | British Transport Police Authority
2. Police Scotland
3. Rail Delivery Group

**Scottish Parliament Finance and Constitution Committee**

**Call For Evidence On The Railway Policing (Scotland) Bill**

**Response From British Transport Police Authority**

**Finance and Constitution Committee of the  
Scottish Parliament**

**Railway Policing (Scotland) Bill**



**Written Submission by the British Transport Police Authority**

- 1) The British Transport Police Authority (the Authority) is fully committed to working with the Scottish and UK Governments, the British Transport Police (BTP), the Police Service of Scotland, the Scottish Police Authority and the railway industry to devolve transport policing in Scotland in line with the no-detriment principles of the Smith Commission.
- 2) The transfer of rail policing in Scotland has potentially significant financial implications for the Authority and Force relating to workforce, pensions, how we charge for our services and the transfer of assets and liabilities. In our evidence to the Justice Committee<sup>1</sup> we outlined the key risks we are seeking to manage and mitigate including the effect of transition on the formula for allocating charges and any impact on existing contractual arrangements to operators.
- 3) There are many aspects to the programme that will require further detailed analysis. We are working in partnership to understand the precise costs to deliver a smooth devolution of BTP Scotland to Police Scotland and to address the potential impacts of devolution on the remainder of BTP.

3 February 2017

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<sup>1</sup> [http://www.parliament.scot/S5\\_JusticeCommittee/Inquiries/BTP\\_Authority.pdf](http://www.parliament.scot/S5_JusticeCommittee/Inquiries/BTP_Authority.pdf)

**Scottish Parliament Finance and Constitution Committee**  
**Call For Evidence On The Railway Policing (Scotland) Bill**  
**Response From Police Scotland**



**Finance and Constitution Committee Questionnaire**

Organisations that have an interest in, or which may be affected by, the financial implications of the [Railway Policing \(Scotland\) Bill](#) as set out in its accompanying [Financial Memorandum](#) (FM) are invited to complete this questionnaire and return it to [finance.constitution@parliament.scot](mailto:finance.constitution@parliament.scot).

In addition to the questions below, please add any other comments you may have which would assist the Committee's scrutiny of the FM.

**Consultation**

1. Did you take part in any consultation exercise preceding the Bill and, if so, did you comment on the financial assumptions made?

**Answer**

Police Scotland did not take part in any consultation regarding the Bill.

2. If applicable, do you believe your comments on the financial assumptions have been accurately reflected in the FM?

**Answer**

N/A.

3. Did you have sufficient time to contribute to the consultation exercise?

**Answer**

N/A.

**Costs**

4. If the Bill has any financial implications for your organisation, do you believe that they have been accurately reflected in the FM? If not, please provide details.

**Answer**

Whilst it is generally accepted that any future operating model **may** create efficiencies in terms of economies of scale and working practices etc., the set-up costs of integration as well as the potential for efficiencies to be made have yet to be fully quantified.

Determining a realistic cost of integration to Police Scotland will necessitate a comparative assessment (Due Diligence) of the current operating position within both organisations (BTP and Police Scotland), to identify gaps and overlaps which may create cost pressures as we work towards full integration. A full understanding of the 'Cost Allocation Model' is essential to that process. Continued dialogue with Scottish Government will also assist in that regard and will be beneficial in fully defining the anticipated set-up costs of the Programme.

An assessment of current and future contractual obligations and existing liabilities for example, potentially impact on operational delivery. Full integration may also require investment in ICT structures to ensure operational compatibility.

The lessons learned from the creation of Police Scotland will be of benefit in this process. It is the journey to integration which has the potential to create cost pressures, not integration itself.

In addition, Police Scotland have currently identified a number of 'functional leads', over and above the SG Project Lead for Project 4 (Operational Integration), who will assist in the delivery of all seven Projects to ensure completion of a successful Programme by 1 April 2019. Project 4 in itself will also require support internally and from across key partners, none of which can be achieved through 'business as usual' working arrangements and will require investment from Police Scotland in terms of staff hours and salary. Again, these issues are not viewed as being insurmountable and ongoing engagement with the Programme team continues in order to better understand the requirements and identify potential solutions.

5. Do you consider that the estimated costs and savings set out in the FM are reasonable and accurate?

**Answer**

As per answer 4.

6. If applicable, are you content that your organisation can meet any financial costs that it might incur as a result of the Bill? If not, how do you think these costs should be met?

**Answer**

In the interests of efficiency and to ensure continued operational capability, it is unlikely Police Scotland would be able to meet all additional costs associated with the Bill. Discussions are ongoing with Scottish Government in this regard.

7. Does the FM accurately reflect the margins of uncertainty associated with the Bill's estimated costs and with the timescales over which they would be expected to arise?

**Answer**

Without properly scoping the extent and complexities involved in the Programme, the FM cannot accurately reflect the margins of uncertainty associated with the Bills estimated costs and timescales.

**Wider Issues**

8. Do you believe that the FM reasonably captures any costs associated with the Bill? If not, which other costs might be incurred and by whom?

**Answer**

The FM does not make full provision for set-up costs associated with the Bill and, as a consequence, cannot reasonably capture the areas where there is the potential for costs to be incurred.

9. Do you believe that there may be future costs associated with the Bill, for example through subordinate legislation? If so, is it possible to quantify these costs?

**Answer**

It is difficult to assess this at this stage and at least until full due diligence is completed.

As stated this is the subject of ongoing discussions with Scottish Government.

## **Scottish Parliament Finance and Constitution Committee**

### **Call For Evidence On The Railway Policy (Scotland) Bill**

#### **Response From Rail Delivery Group**

##### **Finance and Constitution Committee Questionnaire**

Organisations that have an interest in, or which may be affected by, the financial implications of the Railway Policing (Scotland) Bill as set out in its accompanying Financial Memorandum (FM) are invited to complete this questionnaire and return it to [finance.constitution@parliament.scot](mailto:finance.constitution@parliament.scot).

##### Consultation

1. Did you take part in any consultation exercise preceding the Bill and, if so, did you comment on the financial assumptions made?

Response: No.

2. If applicable, do you believe your comments on the financial assumptions have been accurately reflected in the FM?

Response: N/A

3. Did you have sufficient time to contribute to the consultation exercise?

Response: N/A

4. If the Bill has any financial implications for your organisation, do you believe that they have been accurately reflected in the FM? If not, please provide details.

Response: RDG is aware that there are costs associated with the devolution project (both BTPA and BTP) and there will be some residual costs which will fall only on England & Wales PSA holders after devolution has taken place. RDG is working with the BTPA to find out what the costs will be; early indications are that they will not be insignificant. Because of this, RDG is working with its members with a view to challenging the decision of the BTPA over who should fund the devolution project and any residual costs. For an individual PSA holder operating both north and south of the border it would appear that their combined PSA charges will be more than they are currently paying to the BTPA.

5. Do you consider that the estimated costs and savings set out in the FM are reasonable and accurate?

Response: RDG is unable to comment.

6. If applicable, are you content that your organisation can meet any financial costs that it might incur as a result of the Bill? If not, how do you think these costs should be met?

Response: Most RDG members do not feel that they should incur any costs associated with devolution.

7. Does the FM accurately reflect the margins of uncertainty associated with the Bill's estimated costs and with the timescales over which they would be expected to arise?

Response: RDG is unable to comment.

8. Do you believe that the FM reasonably captures any costs associated with the Bill? If not, which other costs might be incurred and by whom?

Response: Costs for RDG members are still being discussed with the BTPA.

9. Do you believe that there may be future costs associated with the Bill, for example through subordinate legislation? If so, is it possible to quantify these costs?

Response: Costs for RDG members are still being discussed with the BTPA.